

REMARKS/ARGUMENTS

I. Status of Claims

Claims 1-18 are pending with claims 1, 8, 13, 14 and 15 being independent. Claims 1, 2 and 8-16 have been amended.

II. Objections

Claim 1 is provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 1 of co-pending Application No. 10/658,208.

With regard to the Examiner's provisional double patenting rejections, Applicant respectfully requests the Examiner to hold these rejections in abeyance until all other patentability issues have been resolved. Should a double patenting rejection remain at that time, Applicants expect to file a Terminal Disclaimer(s) as necessary.

III. Rejections under 35 U.S.C. §103 (a)

Claims 1, 2, 8, 9, 13, 15 and 17

Claims 1, 2, 8, 9, 13, 15 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jang (UK Patent No. 2,347,588 – hereinafter Jang), in view of Yamaguchi (U.S. Pub. No. 2007/0206518 – hereinafter Yamaguchi), further in view of Kida et al. (U.S. Patent No. 6,335,728 – hereinafter Kida), further in view of Hassell et al. (U.S. Pub. No. 2004/0107439 – hereinafter Hassell). Applicants respectfully traverse the rejection.

Claim 1 recites, inter alia, a format scaler for scaling a size of said video data to a predetermined frame size on the basis of said synchronous signals from said decoder. This feature is exemplified at least in Fig. 3 and page 16, lines 1-4 of the specification. The Examiner cites Yamaguchi, particularly Figs. 4A and 4B, as teaching this feature. Applicants respectfully disagree.

More specifically, Fig. 4A of Yamaguchi shows that, in a state where TV phone communication is made on one channel, the LCD 33 displays received picture information 33a (which appears to be the image of the person at the other end of the TV phone communication) and picture information 33b captured by CAM 31 (which appears to be the self-image of the person holding the radio communication terminal). Fig. 4B of Yamaguchi shows that, in a state where a combination of TV phone communication and message communication is on-going, the LCD 33 displays the received picture information 33a, the picture information captured by the CAM 31 and received message information 33c.

Hence, Yamaguchi merely teaches that picture information 33a and picture information 33b get re-sized to accommodate the display of message information 33c when a combination of a combination of TV phone communication and message communication takes place. However, this teaching is irrelevant to scaling a size of said video data to a predetermined frame size on the basis of said synchronous signals from said decoder, as recited in claim 1, given that the re-sizing taking place in Yamaguchi is not disclosed as based on any synchronous signals, and thus cannot be construed as scaling to a predetermined frame size on the basis of said synchronous signals from said decoder.

Accordingly, contrary to the Examiner's assessment, Yamaguchi does not disclose, teach, or suggest a format scaler for scaling a size of said video data to a predetermined frame size on the basis of said synchronous signals from said decoder, as recited in claim 1. Since the Examiner only relies on Yamaguchi to teach or suggest the format scaler as claimed, while other references Jang, Kida and Hassell, which are cited for teaching other features, do not cure this deficiency of Yamaguchi, claim 1 should be allowable over Jang, Yamaguchi, Kida and Hassell. The rejection of claim 1 should therefore be withdrawn.

Claims 8, 13 and 15 contain similar recitations to claim 1 with respect to scaling a size of said video data to a predetermined frame size on the basis of said synchronous signals from said decoder. Accordingly, for at least the same reasons stated above in connection with claim 1, claims 8, 13 and 15 should also be allowable over Jang, Yamaguchi, Kida and Hassell. The rejection of claims 8, 13 and 15 should therefore be withdrawn.

The rejection of claims 2, 9 and 17 should be withdrawn at least by virtue of their dependency from allowable claims 8, 13 and 15.

Claims 3-7, 10-12, 14, 16 and 18

Claims 3, 5, 6, 7, 10, 11, 12, 14 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jang, Yamaguchi, Kida and Hassell, further in view of Barile (U.S. Pub. No. 2002/0093531 – hereinafter Barile). Further, claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Jang, Yamaguchi, Kida, Hassell and Barile, further in view of Ng (U.S. Patent No. 6,681,285 – hereinafter Ng). Still further, claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Jang, Yamaguchi, Kida, Hassell and Barile, further in view of Yui (U.S. Patent No. 6,885,406 – hereinafter Yui).

The rejections of claims 3-7, 10-12, 14, 16 and 18 should be withdrawn at least by virtue of their either incorporating by reference (resulting from dependency from respective base claims), or containing the feature of *scaling a size of said video data to a predetermined frame size on the basis of said synchronous signals from said decoder*, and the fact that the cited secondary references Barile, Ng and Yui do not cure the above-noted deficiency of Jang, Yamaguchi, Kida and Hassell in connection with the feature.

IV. Conclusion

In view of the above, it is believed that this application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Should any/additional fees be required, the Director is hereby authorized to charge the fees to Deposit Account No. 18-2220.

Respectfully submitted,



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